

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.8985 OF 2021

DR BABASAHEB AMBEDKAR SMARAK THR ITS PRESIDENT BHADANT
UPGUPTJI MAHATHERO
VERSUS
GANGARAM SANTRAM ACHARYA AND OTHERS

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Advocate for the Petitioner : Shri Kute Rajendra L.
AGP for Respondents 5 and 6 : Smt.PV. Diggikar
Advocate for Respondents 1 to 4 : Shri G.G. Suryawanshi

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CORAM: SMT. BHARATI H. DANGRE, J.

DATE :- 07th January, 2022

Per Court:

1. The present Writ Petition raises a challenge to the order passed by the Joint Charity Commissioner, Latur dated 10.02.2021 under which, the delay in filing the application by the respondents, has been condoned by recording that sufficient cause has been shown for condoning the delay. An appeal came to be registered in furtherance of the said order.

2. The learned counsel for the respondent Nos.1 to 4 states that the appeal, which was registered vide No.3/2021 by the Joint Charity Commissioner pursuant to the condonation of delay, itself is finalized on 29.12.2021 with the result that the appeal is allowed and the impugned

order passed by the Deputy Charity Commissioner is set aside and the matter is remanded back for fresh enquiry.

3. In the wake of the aforesaid circumstances, the learned counsel for the petitioner states that he may be permitted to withdraw the writ petition reserving his liberty to file a fresh writ petition assailing the findings of the Joint Charity Commissioner in Appeal No.3/2021, both on merits as well as it's consideration on the ground that the appeal itself was barred by the point of limitation.

4. Reserving the liberty aforesaid, this Writ Petition is disposed of as withdrawn.

kps

(SMT. BHARATI H. DANGRE, J.)